CONVOY DISPATCH

Voice of the Teamster Rank and File Since 1975

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Teamsters for a Democratic Union

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Pennsylvania TDUers Lead Resistance

New Deal Threatens Freight Contract

A sweetheart deal by union officials in Central Pennsylvania threatens the entire Freight Contract. Three TDU chapters and the TDU office are coordinating efforts to stop the deal.

A "trainees & new hires" clause has been secretly inserted in Article 62 in Central Pa. ("8 Cities") supplement. This giant giveaway of unionism means that union members:

*Will work for 18 months at sub-union scale. The first year is 70%.
*For six months will get no benefits—vacations, holidays, sick days, pension, health and welfare.
*Can be "terminated without any further recourse" up to 6 months. **6 month casuals!**

TDUers Resist

After the issue nearly provoked a walkout at Roadway's giant Stroudsburg terminal, Edward Harrington, head of Local 229, tried to blame Fitzsimmons and the International. No deal. Harrington was one of the signers.

CENTRAL PA. MEETINGS TO FIGHT SELLOUTS!
See Page 10

Charges have been filed against the officers who signed the deal by TDU members in Harrisburg Local 776, Allentown Local 773, and Scranton Local 229. They are being assisted by the TDU Washington Office.

The charges state that the officers in question undercut the entire national contract. This issue was bargained nationally, because the employers negotiators submitted the new hires takeaway to the IBT on December 14, 1978. But it was dropped after TDU publicity and widespread opposition. That should have been the end of it.

Now, a **year after** the April 1979 strike the Central Pennsylvania officers used a loophole (that Article 62 would be "drafted consistent with the mechanics agreement") to sneak in this deal.

Various officials in the area are scrambling to dodge responsibility. If they are serious, they will join with the TDU charges against the traitors who signed the deal.

Demonstrations like this helped stop 'New Hires' clauses from gutting the national contract. Rank & File action can stop them in Pennsylvania

Less Talk, More Action Needed

Fitz Says "No Sweethearts"

On April 8, the National Negotiating Committee of the Freight Agreement was called to a hush-hush meeting in Chicago by Frank Fitzsimmons. It included the principal officers from the major freight locals.

One Committee member told **Convoy Dispatch** it was a "table-pounding session" with Fitzsimmons claiming he would not allow sweetheart deals and was tired of hearing such charges.

Fitzsimmons also stated there would be **no monetary relief** from the contract at all. He complained some areas were granting relief to carriers without going through the proper committees.

In the 18 months since he first notified all Locals he would press Union charges against officers signing sweethearts, Fitzsimmons has not acted against a single substandard deal. Not in the Steelhaul fiasco, the Central Transport giveaway, the National Freight deal, or anything else.

But he will soon have another chance. TDU members have filed charges against the giveaway in Central Pennsylvania which calls for 1st year new hire wages $3.50 below scale. Fitz has the power under the IBT Constitution to stop it now. If he acts, fine. If not, he will have to take a stand on the TDU charges.

In fact he will have 2 chances. Because TDUers are also filing charges against Andy Suckart of the Ohio Conference and Bob Barnette of Grand Rapids Local 406 for the biggest sellout at Central Transport/Cartage yet. (See p. 5). There will be no excuse for failing to act on this one. Fitz himself has said that Central's rip-off just OK'd by Suckart/Barnette, "is the biggest subterfuge I ever heard of."

The time for talk is past. It's time for action.

Brewery Teamsters Join TDU

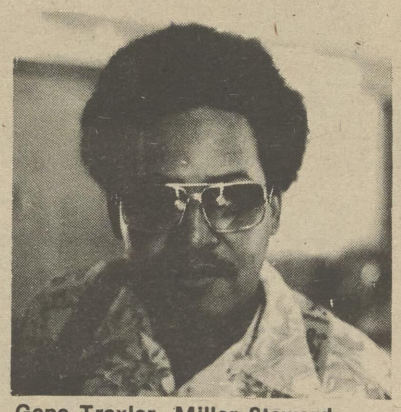
Fight for Democracy in Carolina

"People had felt defeated. But now TDU is spreading in the plant and unifying us. We are determined to build a strong union with decent representation."

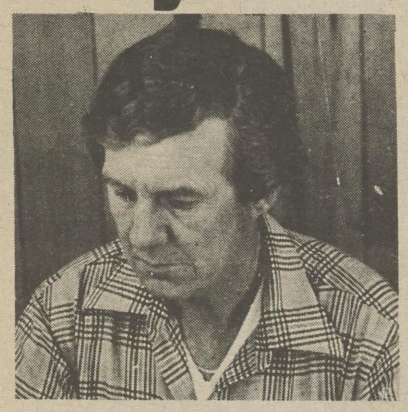
That's how steward Ed Howell summed up the fast growing TDU Chapter at the Miller Brewery in Eden, North Carolina, Local 391.

The 1,200 men and women less than two years ago voted for the Teamsters as the strongest union in the brewing industry. But a year and a half later, the mood in the brewery has soured. Union representation was slow, weak, and unresponsive

"That's when we contacted TDU. We got literature. We got the Legal Rights Handbooks—probably a hundred people in the plant have bought one by now. We are starting to find out we can work together to change our union and make it one to be proud of" said maintenance steward, Bobby Kennon.



Gene Troxler, Miller Steward Local 391



Ed Howell, Steward Local 391

Democracy Under Attack in 391

Democracy is a major goal of the brewery workers and of TDU. But democracy is being challenged right now in Local 391, as President R.V. Durham and BA Dewey Sherrill and the other officers are trying to take away the little control the rank and file do have. **And they are trying to do it right now.**

They want to change local bylaws so that a BA and the Local President have the power to "remove" a steward.

Stewards need to be fighters, not "yes" men and women.

The rank and file will have a chance to vote to stop this takeaway with a big turnout at the May 10th union meeting.

TDU Chapter Forms

And the Miller Brewers have already started organizing. On April 9 and 10 three TDU meetings drew nearly 200 Teamsters with a similar number joining TDU and forming a new chapter

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TDU is spreading beyond the brewery to reach all members of Local 391. Already, TDU has members at several major freight and industrial companies in the local.

Workers from Miller's can plant attended meetings and discussed their problems as well.

If you are a 391 Teamster and want to learn what you can do to defeat the attack on your right to elect your steward, contact TDU today! (More on Miller, page 11).

Personal Story Tells It All

Why We Need Innocent till Proven Guilty

Dear TDU,

Tom worked for Graves (Capitol) Truck Lines for 16 years. In that 16 year period he never had an accident in spite of driving in all kinds of weather. He received several safety and loyal service awards from Graves.

Tom loves the life of a truck driver. His father recently retired after driving for Yellow Freight for 36 years. He says driving is in his blood. It is all he has ever wanted to do. He has always believed in his union and thought they were there to represent their members. In January of 1979 he accepted the responsibility of being Union steward (Local 823) for the road drivers in Cherryvale. He felt that he should give as well as take. He had always cooperated with the company in things they wanted, like letting them set up runs that weren't quite "cricket" as far as the contract went. The promise was that when the freight did get built up the runs would be set up according to the Contract.

But when it was time to put things right and get the city men off the road and back inside their mileage radius, the company says no! The road drivers decide they have had enough of this runaround. They get together and started to

file grievances—50 to 60 of them in a short time. They were told by the Terminal Manager to "stop making waves" and "If you keep this up you could lose your job."

On March 29, 1979 I woke Tom up at 5pm for his 6 o'clock run. He drank ice water, shaved, took two tuna salad sandwiches to eat on the way to work, talked to the plumber about our drain trouble, and left for work about 5:30pm. At almost the exact minute he left the lot the Highway Patrol received a call that a Graves Truck was leaving Cherryvale and was "weaving all over the road and the driver was apparently drunk." The caller even provided the truck number which is printed vertically on the cab behind the drivers door.

When the deputy sheriff stopped Tom in Thayer, allegedly just for speeding (41 in a 30 zone at the edge of town) he supposedly didn't know it was **the** wanted truck. He informed Tom he was under arrest for DWI and would have to go to Erie for a breath test.

Tom, who was confident of his sobriety, agreed and accompanied the officer to his car and got in. On doing so he noticed his truck number written on a piece of paper on the console of the patrol car. Asking the officer about this he was told about the call. Tom remarked that he thought "they would pull something like this."

We had to wait until Friday afternoon for the results of the breath test. All this time the test stayed in an unlocked drawer of an unlocked office. When the Graves man got the results he hightailed it back and got a registered letter off, informing Tom he was fired.

We hired a lawyer from Erie to represent Tom and appeared on April 23, 1979 in Neodesha District Court in Chanute. Tom had 6 witnesses testify on his behalf that he was not DWI. After considering all the evidence from both sides the Judge ruled Tom "Not Guilty of the DWI charge."

We thought that would settle it. But when we and the union Business Agent, Bob Mott, notified the Company of the Not Guilty verdict, they said it didn't matter.

We went to the union grievance hearings—with the same result. They wouldn't even consider the court transcript as evidence. We went to the NLRB in Kansas City. We received their decision—against us of course. We have received a letter from the NLRB in Washington saying our case is being reviewed.

Now the judicial system of this country is based on the presumption of Innocent until proven Guilty. However the company says, Guilty even though proven Innocent! How can this be?

I thought a few more people should be made aware of what can happen to a hard working concientious family man who has tried to raise his four children with the idea that you treat other people as you would want them to treat you. If you deal fairly with others, it will be returned in kind. You should stand up for what is right even under adverse conditions. Now these four children want to know if this is what we mean by being fair?

Thanks for your time reading this,

Mrs. Thomas Kane
Neodesha, Ks.

LETTERS

On Duty, Not Driving!

Dear TDU,

Please **renew** my membership and send me some enrollment cards. I want to work fully with TDU.

I just read "You'll Wonder Where the Yellow Went". I work for Ryder Truck Lines, and they too are up to something. Since November 1979 we can not mark off any hours at all. If we do, it must be marked SICK! So now a lot of drivers are on the carpet because they are marking off sick too much. They have **laid off 55** below me in recent months and have tried to fire more, but so far only one has lost his job....

I am an over the road driver and our work rules state that if the board is not exhausted, we can ask for and receive twelve additional hours after our rest is up. But they will not honor this rule. We must remain on call long after our rest is up, and by the time we are called, we are tired and sleepy again. The men after 3 months of this are after each others' throats. Isn't there something in the ICC rules that this should be marked,On Duty, Not Driving?

Keep up the good work

Leonard Deatherage
Local 100
Pleasant Plains, Oh.

RETIREES NEED AN INCREASE

Dear TDU,

I was in Local 964, Cleveland, drove truck for E&L Transport, Lorain,Ohio until I retired Oct. 1st, 1977. I have attended a number meetings with James Adcock (ATI) since I have retired.

When the '79 Master Contract was negotiated, we '76 retirees thought there would be some kind of raise for us. I wrote to the pension fund and they said we were not eligible for a raise. Since November 16 I have written them several times, and they will not answer my letters.

I wonder if TDU could help us on this matter. Hoping to hear from you, I remain,

Yours Very Truly,

John Ray O'Fallon
Local 964
Cleveland,Ohio

No Employer Money

Dear TDU,

Most sweetheart arrangements forgiving Pension and Welfare contributions were probably terminated by the IRS in 1976 when the Central States Pension Fund's tax exempt status was temporarily lifted.

The IRS is apparently not going to determine the extent of the generosity that prevailed prior to ERISA.

When Brother Camarata is elected to office in Detroit Local 299 this might be another fertile field for him to plow.

Best wishes and twenty dollars to help with the expenses. Pete won't get any employer money.

Fraternally,

Tom Adams
South Bend
Local 364

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Convoy Dispatch welcomes letters from our readers. Send letters on your company, local, or anything that concerns you as a Teamster to **Convoy Dispatch,** c/o TDU, Box 10128, Detroit, Mi. 48210.

WHO WE ARE

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers—every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 22-member International Steering Committee was elected in November 1979 for one year. Our Rank & File Convention had over 500 representatives present.

We are proud Teamsters standing up for our rights. If you agree with our **Rank & File Bill of Rights** then how about joining us?

TDU STEERING COMMITTEE

Co-Chairs:
Doug Allan, Local 208
Pete Camarata, Local 299
Frank Greco, Local 478
Ted Katsaros, Local 282

Organizer:
Ken Paff, Local 407

Trustees:
Eileen Janadia, (Local 337)
Gary Kuhn, Local 20
Ray Kuszelewski, Local 938
Pleasant Stephens, Local 710
Bilal Chaka, Local 692
Denise Gellespie, Local 676
John Gomez, Local 70
Clyde Johnson, Local 528
Marv Kaylor, Local 70
Gary LaFlame, Local 332
Lincoln Merrill, Local 391
Mel Packer, Local 800
Paul Poulos, Local 390
Bill Slater, Local 468
Bill Steinberg, Local 390
Hugh Thompson, Local 600
John Torbet, Local 468

RANK AND FILE BILL OF RIGHTS

I. DEMOCRATIC BY-LAWS. All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT HOUR DAY AND FIVE DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

NEWS FROM THE

WASHINGTON OFFICE

The Washington office of TDU—formerly PROD's national office—is the rank and file's voice in the capital. Litigation, designing new legislation, reforming safety regulations concerning all aspects of working conditions and truck design—we're working for you.

We have a Professional Drivers Council of TDU to help. But we need your input.

PROD/TDU
Room 612 — 2000 P St., NW
Washington. D.C. 20036
(202) 785-3707

PENSION CUTBACK LAW PROPOSED

Western Conference Backs Anti Retiree Bill

The U.S. Congress is about to pass a law that could cut your pension benefits.

The purpose of the bill is to shore up 'multi-employer' pension plans that get into financial trouble. Multi-employer pension plans are plans that many employers, rather than one big employer, pay into.

But Congress has picked a strange way to shore up weak plans. When a plan is not taking in enough money to pay out all the benefits they have promised, Congress is now proposing that they cutback the pensions they already pay to retirees.

When a plan gets in trouble, all benefits, according to the present bills, will be cut back to levels in effect five years earlier. If a plan is still in trouble, even more drastic cutbacks will be required. A retired Teamster, with 20 years of service under the Central States plan now receives $575 per month. If the Central States plan gets into financial trouble, those benefits could be cut back under this bill to $270 per month, according to Karen Ferguson of the Pension Rights Center.

Western Conference Supports Pension Cutback Bill

You would think that this would be the sort of anti-labor law that our union would fight against tooth and nail. But on March 18, a lawyer representing the Western Conference of Teamsters Pension Trust Fund testified before the Senate Finance Committee in favor of these bills.

According to the fund's lawyer, the bill is "more than adequate in providing the necessary protection for the participant in a plan requiring financial assistance."

Yet the Fund strongly opposes an alternative proposal that would require the Fund to pay higher premiums into the federal pension insurance corporation so higher benefits could be paid to retirees under the shakey plans. How much would these premiums be that the Fund finds so enormous? $5.00 per **year** per plan participant. If the Western Conference gave its members the choice of paying an extra $5.00 per year, or taking the risk of drastically reduced pension benefits, which do you think they would choose?

The Fund's lawyer said it opposed increased premiums because the Western Conference Plan is so sound it will never need help paying out its benefits.

If this bill were passed right now, few if any Teamster plans would have to cut benefits immediately. But how sound will these plans be over the next 5,10, or 20 years, with the union losing jobs to non-union employers? With the deregulation of trucking? and with the continued mismanagement of the Central States and other Teamster pension plans?

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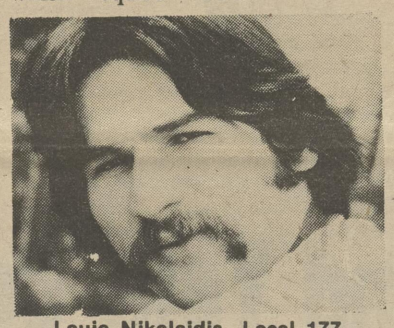
To help defeat this bill, write a letter to your representative and senators. In the House, the bill is called H.R. 3904. Write your representative c/o U.S. House of Representatives, Washington, D.C. 20515. In the Senate, the bill is called S. 1076. Write your senator c/o U.S. Senate, Washington, D.C. 20510. You can also write to two key members of the Senate Finance Committee: Sen. Russell B. Long, Chairman of the committee, and Sen. Lloyd Bentsen, Chairman of the Subcommittee on Private Pension Plans.

NEW RULE IN EFFECT APRIL 1st

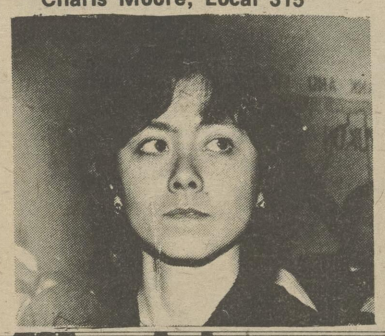
UPS Fails To Stop Safety Law

UPS, the American Trucking Associations, and a variety of other carriers failed in their eleventh hour effort to have a federal court in Washington enjoin the DOT's new maintenance regulations which require vehicle condition reports be kept in the tractor and signed by the driver. The rules went into effect April 1.



Louie Nikolaidis, Local 177

Charis Moore, Local 315



The various industry groups filed suit against the Dept. of Transportation in late March and asked the court to set aside the new rules. At the very least they wanted to stop the requirement that the maintenance log (VCR) be placed in the tractor for drivers to review when performing pre-trip inspections.

TDU-PROD intervened in the proceedings to defend the new rules, rules that were the result of our initiative in a 1973 petition. Although the industry's request for an emergency injunction has been denied, the case is on appeal and is likely to drag on for approximately a year.

Is UPS in Compliance?

Reports are coming into the TDU office that UPS, the company that fought the hardest against the new rule, is not strictly complying with it in various parts of the country.

In N.J., driver Louie Nikolaidis, said:"They are barely complying. They have handed out these forms that are not the full,complete, form demanded by the D.O.T."

In Pittsburgh, package driver Cindy Klink reports "UPS is handing out very inadequate forms. Their attitude is that they can get by without it being publicized."

Charis Moore, driver in the Bay Area reports that "UPS is only using the forms when a driver is more than 10 miles off his or her route."

TDU is investigating all these reports. We will seek compliance through the contract or DOT or both if a violation is determined. **But remember: whether you work for UPS or under the National Master Freight Agreement—the new regulation is not only law, it is also part of your contract. If a company is not complying, you can and should grieve it.**

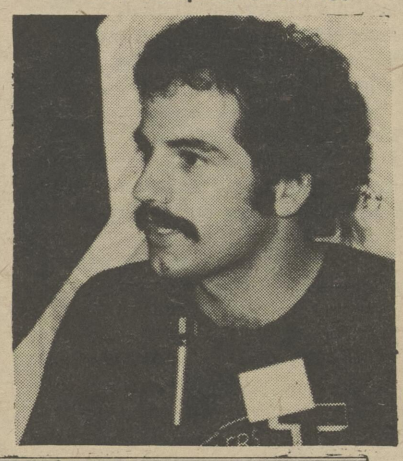
The VCR regulation applies to all UPS package cars, feeder trucks, from the **P 600 and above,** not just the long distance trailers.

Dan Campbell, steward at Mt. Pleasant UPS let us know what the employers are thinking:"UPS has told their drivers that they regard the measure as temporary."

We at TDU-PROD, however, are committed to making sure it is **permanent.** Our Washington attorneys and rank and file activists are digging in to oppose challenges to the regulation and make sure that it sticks.

Cindy Klink, Local 30

Dan Campbell Local 486



Washington Wire

Buffalo TDU: "Save OSHA"

As we reported in **Convoy Dispatch #3**, the anti-OSHA Schweiker bill could potentially gut the health and safety rights of all working people. The W. N.Y. TDU chapter discussed the Schweiker bill and decided to start placing resolutions on the floor of area locals. The resolutions seek to push locals into actively fighting this anti-labor bill. Most important, it will enable area Teamsters to take part in this fight. Other unions in W.N.Y. are already doing this.

A resolution was entered at the March meeting of Local 375,stating:"**Be it resolved**:the membership of Local 375 fight this attack on our safety, by the Schweiker bill, by doing two things:1)Send letters from the Local to area Congressmen...These letters would state Local 375's position as being 100% against the Schweiker bill. 2)Local 375 actively take part in the petition campaign against the Schweiker bill that is being coordinated among several area unions by the Western N.Y. Council on Occupational Safety and Health.

CF Petition

"I've seen men go into the terminal and flop right into bed and even 8 hours later they were just as tired from the fatigue you get."

That was the comment of Marion Skinner, Indianapolis Local 135, and a road driver for Consolidated Freight. That's how he described the effects of the Freightliner 'steel saddle' springs and the direct shock to the back and spine that they create. And that's why he's passing around the TDU sponsored rough ride petition.

"I've talked to several men about it, down the road, in St. Louis, Cincinnati, Akron, Indianapolis. To a man they said they would sign this petition. That equipment is beating us to death."

TDU has received other inquiries on the petition from N.J. to Arizona. We encourage all CF drivers to call the Washington office (202-785-3704) for copies and to spread the petition in their area. But hurry, the petitions are due to be handed in to the company in early summer.

Where's The Air Conditioning?

Road drivers had expected that on April 1, 1980, air conditioning would be required on all tractors. But no dice, thanks to 'extensions' granted by the International.

The contract reads"...an Employer-Union Committee shall undertake to determine the feasibility of converting road tractors to provide air conditioning by April 1, 1980."

The companies used this fine print as a loophole to avoid air conditioning their trucks.

At the April 8 National Negotiating Committee meeting,Fitzsimmons reported on this giveaway. He claimed that one make of tractor could not be retrofitted with A/C. But then—what about all the others?

W.C. Smith, General Organizer for the International union has given several excuses why air conditioning couldn't be put in all Tractors. But he conceded that when it is impossible to put in air conditioning in old tractors, they would be traded in for new tractors with factory air.

What TDU, and drivers in El Paso, Kingman, Phoenix, and other South West points would like to know is why **all** units that can't be converted shouldn't be traded in for new ones—**now.**

If the International officers think this is unreasonable, perhaps they would like to swap their air conditioned offices for a job in one of the uncoverted pre-1977 tractors rolling through the desert at Needles.

Recall on Fitz?

On March 28, attorney Arthur Fox filed suit on behalf of four TDU members against the US Department of Labor to demand a "recall election" on IBT General President Frank Fitzsimmons.

The Complaint filed in federal court in Washington D.C. calls for a "secret ballot referendum among the union's membership to determine whether General President Fitzsimmons should be removed from office for serious misconduct."

The Secretary of Labor has interpreted the Landrum Griffin Act in such a way as to rule out provision for recall, but TDU is seeking to reverse this ruling.

What they mean...how to use them

Steps of the Grievance Procedure

In past columns we've dealt with what a grievance is, how to file one, and the group approach to effectively increase your chances of winning. Let's now take a look at the various **steps** of the grievance procedure and how they work.

Step One. The first step of the grievance procedure is similar in most cases. It involves the member (the grievant), along with his or her steward, talking to management (supervisor). This along with Step Two is a crucial step, where the grievance is still in the shop and where shop pressure can be brought to bear on the problem if needed. This was discussed in past columns -- the need to inform and organize the shop or barn so that group pressure can be used at the early steps of the grievance procedure.

It is also important to watch that phrase "along with the steward". A member should never settle grievances alone, nor should any agent of the union. It should always be the grievant (or grievants) **along with** the steward or Business Agent. This is a basic legal right that you have and you should enforce. The attitude "I take care of myself" leads nowhere. Even if your steward is not effective or even against you, you should demand your representation on principle. And demand it work for you, not against you.

Step One is where the steward should be pinning management down, asking exactly what the problem is to make it harder for them to change their story later. One object is to **gain information** without giving too much up. It may not be the time to identify witnesses or provide other key information.

One of the sorriest comments about the state of the Teamsters Union is that Step One is very often unused, as grievances are immediately kicked up the ladder, away from the work place.

Remember that almost all contracts have a time limit for putting grievances in writing (such as 10 days, for example) and you must file one in writing (as explained in detail in an earlier column) by that time.

Step two. This is usually where the Business Agent comes in, to meet with terminal management or possibly the general foremen. The grievance is still in the shop and this is basically a continuation of step one. Again, if your shop is well organized the BA should never talk to management alone (you might want to pass a motion at a union meeting to make this official union policy) and should meet with you in advance, talk to any witnesses, etc. This is still a time to be informing the various people in the shop what is happening and putting the heat on management if the grievance is a key one.

The business agent has a "duty of fair representation" which is legally binding. It is his or her job to **represent you** not to mediate or judge you. However, it is a part of the IBT Constitution that:

"The Local Union and its officers, Business representatives and agents may decline to process any grievance, complaint, difficulty, or dispute if in their reasonable judgement such grievance, complaint, or dispute, lacks merit." (Article XIV)

This clause is legal. It comes back to group pressure to make Steps One and Two effective. This is why a good steward or BA not only knows the contract but also knows how to build unity and strength among the rank and file.

Step Three. In the national Teamster contracts and some local ones, the third step is a Joint Committee usually made up of three union reps and three management reps from the trucking association. This is the "Joint Committee" system and it is unique to our union and it has become riddled with favoritism, horse-trading and outright corruption.

An experienced TDU member, Allen Elbert of Local 773, summed this system up: "How can a union member lose a grievance at the Joint Grievance Committee when there is an equal number of employer and union reps who vote? Simple -- one or more of the union reps vote against the member! Otherwise it would be a tie and be deadlocked up to the higher step."

"And if the grievance should get deadlocked up to the higher step, it gets worse. Now the same set-up exists, a Joint Area Committee, but with union reps from other locals and even other states, and their votes are controlled by the union's co-chairman or co-secretary. He assigns who will sit and can dismiss them at any time. Here again, grievances are won or lost on deals, horse trading, etc."

The JAC and Interpretations

At the Joint Area Committee level, we also have "interpretations" that affect and re-write your contract. Whole parts of the NMFA have been altered, gutted, or destroyed by this process. Richard Fitzsimmons recently went to prison for taking payoffs from employers. And he sat on the Central States JAC, the one covering more members than any in the country. We can wonder how many "interpretations" were purchased in that deal.

But again, it is not hopeless and can lead to some wins and progress **if** there is **unity**. In the Joint Committee system, you have to be able to put pressure on your union reps on a larger scale, through TDU publications and other means. They need to feel they better come home with a good record or they will feel the pinch. And union officers who sit in judgement and give away grievances consistently need to be voted out as the traitors they are.

Arbitration. Many local contracts do not have the Joint Committees, but instead use the traditional "arbitrator" system as the final step. The union and company mutually agree on an arbitrator who acts as judge.

One problem is expense. The union may not want to take your case to arbitration as they have to pay half the arbitrator's salary and also may have to retain an attorney. And arbitrators often don't understand what work in the shop or truck is like and also want to please both sides to keep getting work. Again, pressure makes a difference. And organization pays off because you will have better witnesses, be better prepared and can get better representation out of your local.

" ...and now for step seven in our grievance procedure! "

Right to Strike. Last year the notorious Central Transport fired four active members for the alleged charge of causing a wildcat strike. Due to widespread publicity, organization, pressure, and careful planning, this grievance was deadlocked through **every step** of the procedure. That is, the union reps did not vote against their own members (for once!). As a result, under the national freight contract, the members had the **right to strike** over that grievance. And you know what? They didn't have to strike for even one hour, because the corporation paid out many thousands of dollars in backpay and took the men back rather than face a strike. That was real power in the grievance procedure.

This is a major change that TDU stands for—the right to strike if necessary over grievances. This, along with a presumption of "innocent until proven guilty" (a right guaranteed to criminals in the US and Canada) would be a giant step to regaining rank and file control of our union and real protection for our contracts.

Discrimination and Your Contract

Rita Drapkin
Local 249
Pittsburgh, Pa.

"The Employer and the Union agree not to discriminate against any individual with respect to hiring, compensation, terms or conditions of employment because of such individual's race, color, religion, sex or national origin, nor will they limit, segregate or classify employees in any way to deprive any individual employee of employment opportunities because of race, color, religion, sex or national origin."

From Article 37 of the National Master Freight Agreement

Does your contract have a non-discrimination clause similar to the one above? If you are covered by one of the master contracts, the odds are that you probably do. If your contract doesn't have such a clause, then make it a demand next time your contract expires. Let me give you some examples of how this clause can be used.

I remember two discrimination grievances that were filed when I worked at United Parcel Service. In the first case, the male employees had showers and the female employees did not. 90% of the female employees signed a grievance claiming discriminatory conditions. In the second case, a woman was fired during her probation. Usually discharges during probation are not grievable, but many statements made by management showed that the employee was fired **because** she was female. Unfortunately the grievance was lost, but the panel did agree to hear the case over UPS's objections to grieving a probationary discharge.

Rita Drapkin Local 249, Preston Trucking

There is a freight outfit in our Local which requires ICC physicals every two years **unless** you are over 60, in which case they have begun to require them yearly. This could be grieved under the non-discrimination clause.

I personally filed a discrimination grievance against my current employer, Preston Trucking, when they applied more stringent rules to me than to anyone else who came from the Union's extra list. All the others were male.

As many individuals as can possibly sign should do so. It makes for a stronger case and takes the heat off one individual. In fact, in a grievance for women's showers at another UPS facility, many male workers signed in support.

Accurate records are important in all cases: dates, names, witnesses, what was said or done, etc.

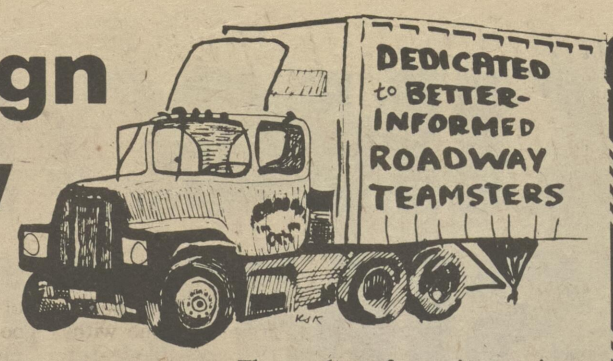
Some information can be obtained by filing a grievance. For example, if you file a grievance claiming discriminatory hiring practices, the company is obligated to provide you with information necessary to process the claim, such as application files.

Couldn't all these cases have gone directly to the government agencies, such as the state Human Relations Commission or the federal Equal Employment Opportunity Commission (EEOC)? Yes, but it is almost always preferable to utilize your grievance procedure first. For one thing, you will probably receive a decision quicker. These agencies are hopelessly backlogged. Second, the Union is supposed to defend and protect its members, and instances of discrimination should not be exceptions. By going directly to an agency and failing to file a grievance you let the Union off the hook in learning how to fight this type of employer attack.

Finally, you can still file charges with these agencies after you have exhausted internal union procedures, even if you lose. (You may have to file before you get a decision on your grievance to meet time limits set by these agencies). In the case of women's showers at UPS and my own case at Preston, the grievances were lost but positive decisions were rendered through the EEOC. In the UPS case the grievance panel actually sided with the company, deciding that male and female employees could use the same showers! The women were not satisfied with this decision.

In the next issues of **Convoy Dispatch** there will be an article on filing charges with government agencies.

'Indy 128' Sign Productivity Grievance



Last month we reported on how Roadway management in Indianapolis was stepping up its campaign of harrassment. The big stick has been the productivity cards that they are demanding the men sign. They are calling in the 'low producers' for counseling sessions that are recorded in the men's records.

TDU helped the Local 135 members at Indianapolis Roadway to draft a grievance protesting these cards and the 'counseling' sessions. They cited Article 6, Maintenance of Standards, and Article 20, which states that the company can't set up a new work standard without the "agreement and approval of the local union." To the knowledge of the members, no such use of cards, counseling sessions, or anything of the kind was agreed to by Local 135.

The results so far are impressive: 128 of the 156 men at the Indianapolis terminal signed the grievance. Local 135 President Loran Robbins has suddenly taken an interest in the situation. He has asked for a meeting with Rank and File representatives and company labor relations executives. Watch **Convoy Dispatch** for further developments.

Roadway Buffalo Organizing Picks Up

Dan Hall
Local 375
Buffalo, N.Y.

Teamsters at the break bulk terminal in Buffalo are fighting Roadway's growing productivity scheme and harassment campaign. Separate meetings of dockmen, mechanics, and drivers started in early February. These led to combined meetings of separate crafts on Feb. 17 and March 16.

Some solid progress has already been made. A leadership committee was elected in February. At the March meeting a treasury was started. It s purposes, for now, are to aid in legal counsel should the need arise and to finance a monthly barn newsletter. Work has begun on the yet un-named newsletter. Plans are being laid to send it to other Roadway terminals. If you want it, contact TDU for details.

Also discussed at the March meeting was the previous month's **victory** by city driver John Klieber in an NLRB case. Management had denied him union representation in their so called "consultation" sessions. Everyone agreed to have a steward present whenever management calls someone in for one of these sessions.

Much of the inspiration shown by Roadway workers in Buffalo comes partly from rank and file activity at another area terminal, Overland. Workers there had also started a treasury, held regular meetings, kept up a barage of well written grievances, and developed contacts at other terminals through the local TDU newsletter, UPFRONT.

The new unified organization at Roadway in Buffalo is helping overcome past divisions and may even have led to management easing up a bit on its harassment in March. But given Big R's record, this is probably only temporary. Another meeting is planned for April 20 to map further actions.

Harrisburg Roadway Tries Firing For Productivity

Roadway at Harrisburg is out to teach the workers a lesson. They are going after a 12 year dock worker to make him an example. First, they fired him for failing to put the table in the trailer. Two times. Then, when this absurd charge was reduced to a thirty day suspension, they fired him again for allegedly failing to put dunnage in the trailer. This case went to the 8 Cities panel, and the firing was again reduced to a suspension.

Take Note: in pressing its case, Roadway used production cards as evidence at the panel hearings. This should put to rest the phoney excuse that the cards aren't used for disciplne. And since they **are** used for discipline, the union should ban them once and for all as in violation of the contract. Such a work standard can't stand unless the local agrees (Article 20). If a local officer thinks that these cards are so great, let him openly say so.

Local 213 Members Vote on Bylaws

The members of Local 213 in British Columbia may soon get a chance to vote on proposed bylaws changes to make their local more democratic and responsive to the rank and file

In 1978 and 1979 proposals were introduced by TDU members including Jack Vlahovic, that call for election of BA's (instead of appointment) and three year terms of office instead of five. Other changes were also put forward.

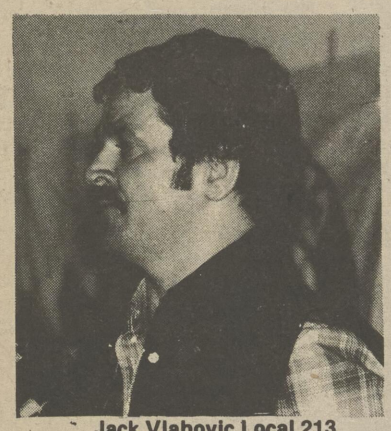
The local officers, including International VP Ed Lawson, have stalled the members right to vote on these. But apparently they have run out of stalls. The proposals are slated to go out in a mail ballot in the widespread construction local. (More democratizing proposals were submitted in 1980, but now they are being stalled).

Nothing shows the need for a democratic Local 213 better than the story of International Organizer Joe Whiteford. He drew two (2) car allowances on one (1) car. "No wrongdoing" ruled the Executive Board of Local 213.

Then Whiteford was found **guilty** by the Joint Council of allowing an unauthorized person to sign the Local's checks, although Ed Lawson was his council in the matter.

Now however Frank Fitzsimmons has intervened with a message ordering the Joint Council to hear the matter again. So under protest the Joint Council referred it to the International.

In the meantime, Whiteford has retired, drawing his generous pension **and** a $500 a month 'consulting fee' from the dues of Local 213, in addition to other paid expenses.



Jack Vlahovic Local 213

Tulsa Local Gives Drivers Rights Away At Chief

Over the past month drivers for Chief Freight Lines in Tulsa Local 523 have voted 3 times on giving away all their dispatch rules. The first vote was 100 to 4 against. A week later the local president gave them away anyway. Now he's going to keep the members voting till they "get it right."

On April 13, a third vote finally got approval but only for a 90-day period.

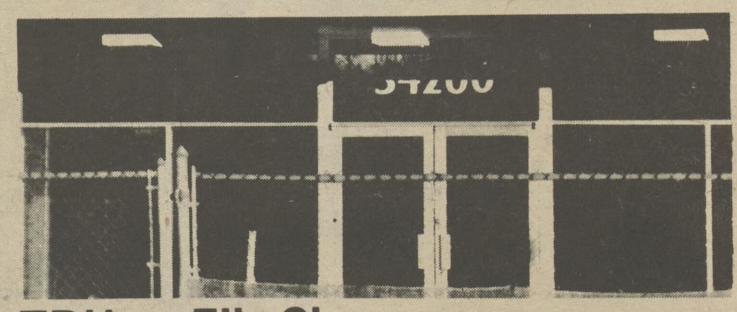
As if this wasn't enough, the local officials also gave away the entire raise due on April 1, the COL increase, sick days, and personal holidays! This deal was turned down by the Southern Conference, however, and the members are due to receive their full monetary package.

But still they have been forced to give away their work rules, to the point where they run "VIA" points **without limit** on a sleeper team. One dispatch can last any number of days. To make matters worse, the drivers must be available to work 7 days a week, 24 hours a day, with a 1 hour call period every three hours.

All of this giveaway is, according to Local 523 officers, to "guard every job at Chief." However, no guarantee of any jobs whatsoever was acheived or even sought by the local union.

The best way to guard our jobs is with a strong and uniform contract and **democratic** control of our working conditions and work rules.

CenTra



TDUers File Charges

Centra Sellout!

On April 7, 1980, a Union-Employer Committee took aim to gut the National Master Freight Agreement at Centra. Nearly a hundred grievances could go down the drain as a result.

This committee is composed of Andy Suckart for Ohio and Robert Barnette (Sec.-Treas. of Local 406) for Michigan on the Union side. It was appointed by the Joint Area Committee in Chicago on March 12. It's job was to make "recommendations" to resolve the huge backlog of grievances that have piled up against Centra.

And what they have "recommended" is that management get everything it wants. The heart of the deal is that Central will be allowed to use road men to do city work. Already, city men are on layoff, As Moroun uses his policies of "direct delivery" to divert their work.

Right now it looks like the JAC **will** approve the deal—if we let them. Minutes of the last JAC meeting in March, released to TDU, reveal that the main concern of our union officials was passing the buck. They just wanted to make sure that Centra had filed the proper papers to get the contract cuts they wanted. Now this "subcommittee" of Suckart and Barnette has given the greenlight.

TDUers Take Action

But rank and filers aren't going to take it lying down. Already several have said they want to file internal union charges. One, Larry Earwood, of Dayton Local 957, when told of this sellout, said:"I intend to file charges direct to the International. Fitz will have to take a stand on this one."

This issue will be the top item at the May meeting of Centra Employees Against Subterfuge and Erosion (CEASE). cease is the rank and file organization Centra Teamsters formed to protect their rights.

In Detroit, TDUers have already filed charges against Ralph Proctor, President of Local 124. The charges state the Proctor violated the IBT Constitution when he signed a sweetheart deal with Moroun's Cadillac Leasing Co.. This contract has let Moroun layoff higher seniority men at Central Transport/Cartage and is clearly substandard to the Master Freight Agreement.

Matty Says:'Are You With Me?'

Under pressure, Moroun has sent out a letter to all his employees at his separate "companies". In a nutshell, he says "trust me". Rich Marcum, Local 299, responded to Moroun with a letter of his own, saying: "...I think that we do have to participate with each other, and I think that you could take the first step by living up to to your contract."

A good indication of how much you can trust Moroun was given in New Buffalo in the first week of April. After several meetings, a settlement between Centra and Quad States drivers had been reached. The men were seeking back pay, a single dovetailed seniority dispatch board with Dunes Leasing Co., and assurances of job security through an NLRB case. It looked like Moroun had agreed to all of this in a settlement.

But no sooner was the ink dry on the settlement than Moroun violated it. The Dunes men were handed letters, by their dispatcher, attacking any notion of getting together with their fellow Teamsters at Quad States.

Moroun is trying to get a substandard sweetheart contract at Quad States by dangling the promise of big bucks in front of the Quad States drivers. That is what the settlement is supposed to bring. But he has already violated the settlement in the first week. What's to say that he will keep his word when what's at stake is cash money?

Cardonna Says: "Trust Me"

To make matters worse, Local 298 President Cardonna is now refusing to fight for the Master Freight Agreement at Quad States. Cardonna is dishing out a lot of double talk about the company's "right" to not sign the Freight Agreement. Maybe someone should remind him that we pay dues to our union so we don't have to take everything the company dictates.

What's more, the Quad States men have **a lot** of bargaining power right now. They could use it to win a better contract—**if** Cardonna wasn't so eager to keep them in the dark.

Let's look at the facts. A strike at Quad States would be completely legal. The contract is wide open. No injunction is possible. What's more, pickets could legally be spread throughout the Centra system. This would also be completely legal. Moroun can't go to the NLRB charging "secondary boycott". The NLRB has already taken the position that his entire system is one company.

This is not to say that the Quad States drivers should strike. That is a decision they alone can make. But it does make plain that the **threat** of a strike is a **very** powerful weapon right now at Centra. It's a threat that can, and should, be used to win the NMFA. The least Cardonna could do would be to get strike sanction from the International. But after weeks of promises, such sanction has yet to appear in black and white.

TRUCKING DEREG
FITZSIMMONS ST

In its April issue, the *International Teamster* magazine outlined the dangers of deregulation. **TDU is 100% opposed to deregulation.** The International Union officers preach against deregulation in Congress. But in our Contracts, and in our Local Union halls, they openly practice it every day.

Fitzsimmons and company will try to blame everything under the sun on deregulation. But for 15 years they themselves have given away the most reliable regulator we have: **only a strong, uniform, national contract—democratically approved and vigorously enforced by the members—can ensure secure jobs and conditions.** We can win the battle—in Washington—but lose the war if we lose our Master Contracts.

And today, Teamsters covered by the big national contracts are in serious trouble. Their contracts are falling apart, victims of union neglect and an ever stronger employers attack. Substandard Supplements, Special Commodities Divisions, Leasing Companies, and Non-Union Operations are all part of that attack.

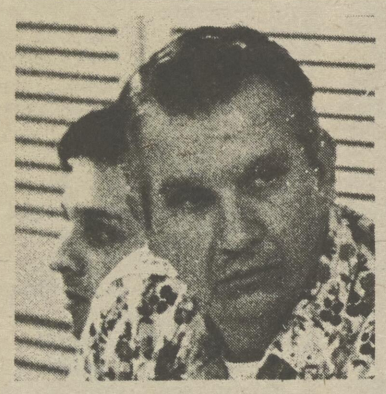
Deregulation will turn up the heat. Companies will try to get concessions from corrupt or near sighted officials. They will take advantage of frightened and isolated workers. But it is our **officials** who down through the years, in deal after deal, have paved the way for the hard times ahead.

Sweetheart Supplements: Unravelling the Master Agreement

The Pennsylvania Eight Cities sell out (see p. 1), which lets in 70% apprentice pay, extends probation to six months, and guts transfer seniority, is only the latest sweetheart deal which our officials have signed. Every such deal must be approved by the union. It's right there in the IBT Constitution (Article XII, Section 11). But Fitz has turned a blind eye. Over the last 15 years we have seen setbacks such as:

- the proportion of drivers with regular starting times has shrunk; the proportion of drivers on call has skyrocketed;
- rules governing the use of casuals have broken down;
- time and a half pay for weekend work has all but disappeared;
- rules governing time off for road drivers have collapsed;
- the combination dock has flourished.

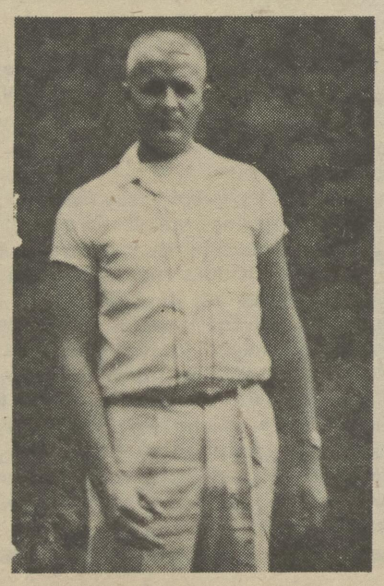
If a group of workers tries to defend conditions in one area, they are threatened with a **union approved** change of operations. The choice they give us is simple: accept the sweetheart or lose your job.



PETE GAINER, Local 175, Parkersburg, W. Va., Penn Truck Aides:

"All Teamsters' rank and file jobs are threatened by the fact that the union first let private trucking enter the field with substandard contracts. Now it seems the next step is through special commodity, exempt commodity, non-union operating under deregulation laws. The International Union is the only force big enough to stop this. All union personnel is going to be affected.

"We are trying to maintain the NMFA in Parkersburg, as much as we can, to secure our jobs and maintain the respect of seniority. We're making the rank and file knowledgeable of what the Union is letting the companies do to disregard years of service. We're trying to establish education among the rank and file so we can protect ourselves, trying to find legal ways to prevent this from happening, because it's something the Union is not giving us."



DICK RICHARDS, Local 142, Gary, Indiana, Interstate Motor Freight:

"Through SHOC we have at least been able to know what's happening, tell others and stop some deals. Some Locals are resisting. But until we can persuade or force the Union to adopt an overall response, we'll be fighting a rear guard action—one Local can't make the good fight alone anymore."

WES LANE, Local 549, Kingsport, Tenn., Mason Dixon:

"The people from Overnite, Viking, and other non union-carriers have seen how our constitution gives the members no say in the election of our International Officers. They do not want to belong to an organization where they cannot vote directly for their officers. Also, the Master Freight Agreement is strictly a farce in that it does not treat the members of different Conferences the same. Each Conference has no voice in voting directly for their supplement. Again, Overnite, Viking, and others do not want to belong to the Teamsters if they have no say in accepting or rejecting a contract. Finally, our union has given up the rule that 'seniority shall prevail' and it has gotten to the point where non-union carriers even respect their employees' seniority more than union carriers do."

AL CASS, Local 676, Camden, N.J., National Freight:

"We have received no support from Local 676 or the Eastern Conference of Teamsters. Chain Gang Management is having their way, but there is an old saying: if you want to get a mule's attention you've got to hit him in the head with a two-by-four. On March 15 we had a super meeting, with TDUers coming from Detroit and all over New Jersey to help. We know it is going to be a long fight, but we are looking forward to working together."

While the sweethearts are signed in the heart of basic freight, many employers are doing an end run on the NMFA by establishing "special commodities divisions."

Special Commodities Spread

"Special commodities" were once limited to steel and other bulk commodities. Now the list has grown enormously. It includes full truckloads of practically every product. Every day, jobs are drained from the better conditions in general freight to the mushrooming "special commodities" divisions.

In recent months, six big carriers, including Consolidated Freightways, have announced the formation of special commodities divisions. An article which appeared in the February issue of the industry magazine *Heavy Duty Trucking* explains why:

> "...some carriers are rapidly identifying their high profit cargo... Then they organize a special commodities division that specializes in that cargo... By doing this the carriers can avoid the provisions of their Teamster contracts in the area of their highest profits."

The Leasing Company Cancer

At the same time, the freight industry has been infected with a rising number of substandard contracts totally outside the Master Agreement. They are the contracts signed between the union and a "leasing company" of a major carrier. Central Transport in the Midwest and National Freight in the East are two examples of this set up.

Freight is switched from one company to another at will. Each group of workers is constantly in fear of losing their jobs. And the sweethearts that result include mileage rates as low as two-thirds of the MFA rates, half the standard pension, and the use of road men to do city work.

The Rise of Non-Union Carriers

In 1976 Ringsby-United, a thousand-driver Western carrier, simply broke out of the Master Agreement. It is still running without either a contract or serious union opposition.

This lack of a firm stand by the union has made it much easier for carriers such as Overnite to grow. A few years ago it was a small Southern carrier. Today Overnite is a major outfit with terminals in such union strongholds as St. Louis and Toledo.

Last year Teamsters in freight went out on strike. The employers locked out. But, to the nation's astonishment, the roads were still filled with truck traffic. The growth of non-union freight was plain for all to see.

Deregulation: Without Changing a Single Law!

The result of all these sell outs is that any large employer can cut his costs by cutting our wages and conditions. And more and more, this is leading to actual **rate** cutting.

This can only lead to one thing: cut-throat competition. Our jobs and conditions will continue to shrink. The pension fund might just shrink out of sight as bankruptcy follows bankruptcy.

For the rank and file Teamster, this is almost "deregulation" in all but name. For some of our brother and sister Teamsters, the situation is already so bad that the dangerous laws now before Congress will only be the last nails in the coffin.

Ask any Teamster who hauls steel. For the past year they have been faced with a tireless employer campaign for concessions. When one local grants a special deal, the carrier cuts the rate it charges its customers. Then other carriers tell their drivers they have to take a similar cut or lose the business.

Deregulation is a reality today in steelhaul. Tomorrow, with the weakness in our union, the same may be true of general freight.

More and more employers are going to be pushing harder and harder. No "nice guy" employer will stay that way for long. If an employer can't get contract cuts out of the Union, he'll either be

GULATION: STYLE

TOM GRIFFITH, Local 776, Harrisburg, Pa., Roadway:

"In 14 years I have watched the Master Freight Agreement deteriorate. This is one of the reasons I have joined TDU, and one of the reasons the reform movement in the Teamsters is growing. The Eight Cities Area has been the Guinea Pigs for most of the sweethearts. These sweethearts not only hurt our area, they spread to other areas. We have to draw the line on this one."

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bought out, go under—or stop being a "nice guy." Either way, we will have to fight to turn this situation around.

What Can Be Done

Our futures depend on fighting. Fighting to make this a union which can and will protect us. And there's only one force with the reason and the power to do it—the members. It won't happen right away. And it won't happen automatically. It will take members who are ready—and an organization to help them do it.

TDU is that organization. In the past year we:

- coordinated the 1979 Steelhaul strike to overturn the sellout of '76. Since then we have organized against the employers' attempt to gut that contract;
- organized before the 1979 contract to stop more giveaways on production quotas, and have kept on fighting their piecemeal introduction across the country;
- pushed to organize the unorganized, such as the rank and file campaign to organize Viking in California;
- organized to stop substandard leasing company contracts at companies such as Central Transport and National Freight;
- are fighting to stop the Eight Cities Sweetheart Supplement and other substandard riders.

Times are hard. But our union was built in the hardest of times—the 1930s. Rank and file freight workers knew they needed a Union. They convinced the non-union drivers that they could all win together—and would all lose divided up.

Rank and File Power: The Only Way to Stop Deregulation

The union grew. It grew from 75,000 to 600,000 in a few short years. And it grew with no huge treasury, no ties to organized crime, and no fat-salaried BA's. It grew because it offered uniform, improved conditions to all freight workers. It's a lesson that is just as true today—a uniform national contract, enforced by the rank and file, is the surest way to stop non-union freight.

As our union has gone downhill over the last 15 years, tens of thousands of members have continued to stand up. The common belief that the average rank and filer does not want to get involved is plain false. In filing grievances. Contract fights. Union elections. Strikes. In their shops. At their terminals. Fighting Teamsters are there.

We know. Because its these fights, these fighters, that have built TDU. We've won some victories. And we're building on those. We've had some defeats. And we've learned from those.

We've learned that one local can't win alone—so we've built national networks. We've learned that we can't leave the fight to some leader to do it for us—so we've built a democratic organization run by and for the members. We know that every rank and file member needs to be active and a leader in his or her own way.

If you're reading this article, you're important. What you do—or don't do—makes a difference. Not only to yourself, but to your co-workers, your family, and your kids, who will need a strong union even more than you do.

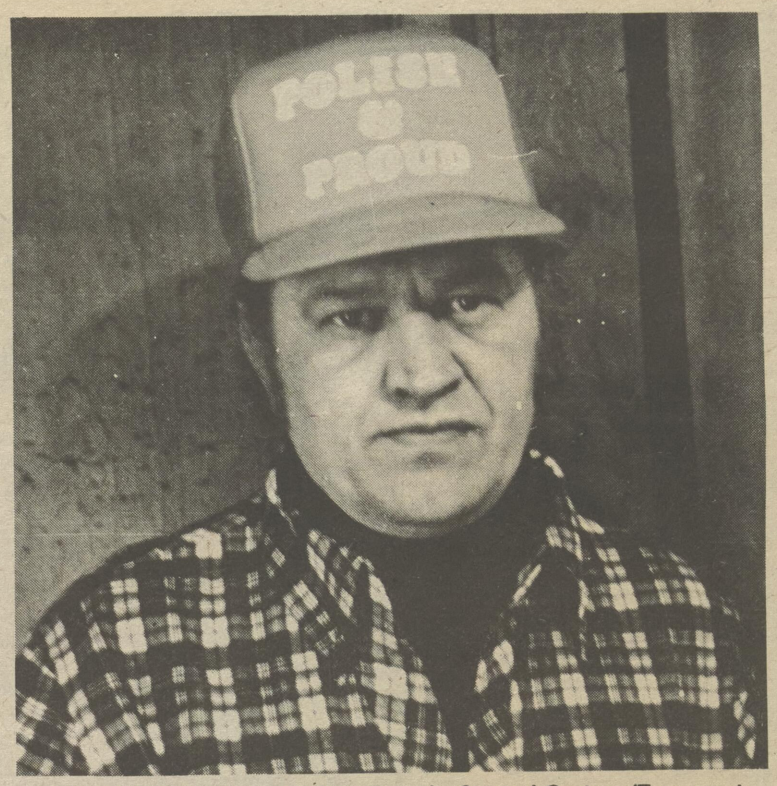
And here's what you can do. The deregulation bills must be fought. TDU urges all its readers to write their Congressmen (see box). But if we are to really stop deregulation, then there is only one solution: we just join together to rebuild Teamster Power on the only reliable foundation that exists: Rank and File Power. For only a strong union, run by and for the rank and file, can protect our contract, our rights, our security, and our dignity in the years ahead.

Spread the word—distribute *Convoy Dispatch*.

Organize a TDU meeting in your area.

Sign up more members where you work.

And if you haven't already—Join TDU. It can't happen without you.



JERRY DOPKOWSKI, Local 299, Detroit, Central Cartage/Transport:

"It's time that everybody stick together and fight like a union unlike a bunch of children sitting on a fence and waiting for the other guy to do it. At Central Transport we decided that we have taken just about enough; that's why we decided to get together with other people system-wide through TDU to see what can be done to stop everything from going downhill."

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Write Your Senator

The deregulation legislation goes before the Senate in mid-April. To let them know how you feel, letters should be addressed to your two Senators at the Senate Office Building, Washington, D.C. 20510.

MAURICIO TERRAZAS, Local 208, Los Angeles, System 99:

"We fought [for]... a rank and file committee to organize Viking... This constant pressure from the rank and file has been going on for the last 18 months. At one point we offered to help with the financial part of the campaign because it appears that the cost of such a serious effort is what the officials fear the most... A press release in the *Southern California Teamster* announced the state wide campaign... The final paragraph in the press release invited the rank and file to become involved...[but there is no] publicity committee or any other committee that can begin to seriously get things started."

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WHAT ARE YOU WAITING FOR?

You know our jobs and union are in trouble. If you wait for the 'other guy' to act, it could be too late. Make a commitment. Join those who are doing something to change it.

Name_____ Local Union #_____

Address _____

City_____ State/Prov._____ Zip_____

Phone_____ Company_____

City☐ Road☐ Dock☐ Clerical☐ Warehouse☐
Production☐ Other_____

☐ $15 basic membership fee—for one year's membership and subscription to **Convoy Dispatch**
☐ $25 membership fee for all Teamsters who can afford it. ($5 of this will go to the local chapter)
☐ $10 for spouses and retirees, and Teamsters who gross less than $10,000 a year
☐ I want to distribute **Convoy Dispatch.** Prices per issue are: ☐100-$7 ☐50-$5 ☐20-$3 ☐10-$2
☐ I want to help build TDU by signing up members or helping organize a meeting. Contact me.

Join TDU!

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

Hey UPS

A column for UPS Workers

Cleveland Cut Rate

The contract terms ratified by **Cleveland** UPSers called for new part timers to be paid 70% of a base rate of $10.77. So how is it that part time new hires in Cleveland are being paid 70% of a base rate of $8.99?

That's what UPS Steward Joe Pierani asked President Jim Kinney at the February Local 407 membership meeting. Kinney suggested that the lower rate was set by the Ohio Rider. This was negotiated in Chicago **after** UPSers in Cleveland voted on the Master Contract language. But no one was told before they voted on the contract that it might be renegotiated **downward**.

Riders **can** be used to preserve a higher local wage. But examples like this show the need for a **right to vote** on all local supplements and riders

Vacation Violation

UPSers in **Local 633, Maine, Vermont, and New Hampshire,** are being told when they can and can't take their vacations this year. It's a clear violation of the contract.

The contract states that people can take their vacations from May 1, 1980 to April 30, 1981, according to seniority, except during the period from the 1st Sunday after Thanksgiving until Dec. 25.

Apparently, UPS doesn't care about anything as silly as a contract. On April 1st they posted vacation schedules, telling people when they can take their vacations. In Manchester (NH), for example, workers were told that they must take their vacations during June-August, or a 2 week period in January. In other hubs they were told that they couldn't take them during September. In other areas almost the whole fall, which is hunting season, was ruled out.

BA Leo Kelly was apparently told about this on March 30. He told UPS the union wouldn't go for it. Any grievance would probably be deadlocked all the way to arbitration, at which point it would be meaningless for this year. But we cannot allow flagrant violation of our contract to go unchecked. Grievances are being filed. We must start working now, for stronger contract language and better protection from such violations. The international knows that in order to fight UPS they must allow action to spread to different locals. Watch 633 carefully to see what they do.

Is your truck safe to drive?
see story page 3

PRODUCTIVITY QUOTE OF THE MONTH:

"Watch your production. I know 90% of you give them a good day's work, but there's that 10% that are dogs and you have to get on them to increase their productivity."

—William J. McCarthy
5th International Vice-President
President, Local 25, Boston

UPS fires three in Cleveland over productivity

Three UPSers in Local 407, Cleveland, had been fired for their "overall work performance. They all got their jobs back at the JAC. But without back pay. To make matters worse, the JAC stated that the discharged employees had to work at 'accepted company levels' to get their jobs back.

Clearly UPS is establishing a dangerous precedent. While this is being fought at a local level, it is being upheld in Columbus. UPS is claiming that they have the right to set "performance standards" based on their definition of a 'fair day's work'. But we all know, that over a nine month period, management can build a case against **anyone** they choose.

Local 407 official, Jim Kinney, a member of the Ohio UPS Grievance Committee, has said that the union does not "recognize" any productivity standard. But just **saying** this doesn't solve the problem. Management **is** firing people and making people work faster.

While fighting individual grievances is important, it is necessary to go beyond the specifics of each case. We must fight UPS on the right to set production standards at all. The contract does not allow them to set such standards—but it doesn't forbid them to do it either.

UPSers are not playing dead and accepting this. Over 50 UPSers came to the March Local 407 meeting demanding action. They pressed for 407 to call for an Ohio widemeeting of UPS locals to map out a joint strategy for fighting productivity. Such a strategy will unify UPSers and build on their sense of urgency. We encourage all Ohio TDU UPSers to push for this in their Locals.

Philly votes no strike

by John Braxton, Local 623

On March 15 over 200 UPS drivers, sorters, and loaders in Philadephia,Local 623, came to what they thought was a long awaited strike vote meeting. The possibility of a strike arose when UPS tried to sneak in a contract provision forcing members to take their personal days off all in one week and to give up their triple time vacation pay for working Columbus Day.

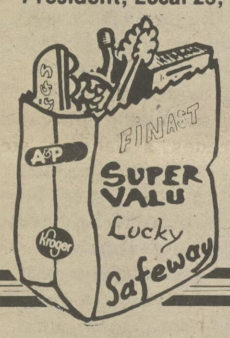
Strike sanction had already been granted and the members had already voted to strike at a previous meeting. But if they thought that they had come to vote once and for all on a strike at **this** meeting they had another thing coming. Eastern Conference representative Al Barlow was there, and he pulled the rug right out from under everyone.

First, Barlow said that the International was not giving 623 permission to extend picket lines to other locals. Then he announced a mail ballot vote. On both of these moves Barlow was met with an angry response.

The mail ballot vote and the inability to extend picket lines assured that there would be no strike. Philly UPSers remember all too well how UPS closed down altogether from 1968 to 1970 in the face of a strike and were able to continue their most profitable business from suburban centers.

But even the threat of a strike won a significant compromise in which people could take their personal days one at a time in the last two years of the contract. This compromise won out in the mail ballot: 314 for the compromise, 76 for the company position, and 39 for the strike.

A well organized strike, with picket lines spread to nearby centers and large hubs would have surely forced the company to quickly give up another vacation day in return for the lost Columbus Day pay. It highlights the need for us to have a local right to strike and a majority vote on all strikes and contracts. More important, it shows the need for a movement like TDU to change the Teamsters from top to bottom into a union which is strong and which follows the will of the membership.



the grocery bag

El Paso challenges Safeway productivity

Safeway's notorious productivity plan is coming under new fire. El Paso Teamsters have prepared a grievance to be heard later this month in Dallas challenging the system's legality.

The productivity plan is known as MTM in many parts of the country. It was the focus of a major strike in Oakland in 1978 when Safeway introduced it there. In Texas the plan is known as the "450 Production Plan" and has been in operation since 1974. Since that time about 50 jobs have been lost at Safeway in Houston and Dallas, as well as about another dozen in El Paso.

Key Grievance

Gil Favela, Safeway warehouse steward in El Paso, has put together a grievance which will document how the company has manipulated the program to keep productivity quotas at an unreasonable rate. Despite being denied access to the company's records and computations on how quotas are established, Favela's grievance should be an important challenge to this system.

Unfortunately, El Paso's Local 941 has not been known for especially strong representation, and the members are increasingly concerned. TDU has grown in recent months in the Local and may be able to pose a serious challenge in the Local's elections later this year.

For members at El Paso Safeway, the current local leadership will be judged on whether or not they can win important grievances as well as their ability to negotiate a good supplement to the "master" Safeway contract coming up this summer. The contract covers parts of New Mexico, Texas, Oklahoma, and Arkansas, but in general negotiations are dominated by Dallas Local 745 president Charles Haddock. It was Haddock who allowed Safeway to introduced productivity throughout Texas, setting the stage for the spread of the MTM.

Challenges to Safeway's productivity system such as this one from El Paso are important to everyone who works at Safeway, and to every Teamster who has to be concerned about productivity plans. TDU will continue to inform and organize Teamsters around this issue until these plans are a dead letter, and the officials who support them have been retired from office.

Louisville A&P Rentar Contract

With the Louisville A&P-Rentar contract expiring on May 21, the attitude of the company and Local 89 towards TDU was summed up by Herman Sharp, a driver and TDU leader: "They know we're here."

TDU's presence has already been felt. In a break with the past, a contract proposals meeting was held on April 11 for these Local 89 members, a change which resulted from increased activity by Kentuckiana Chapter TDU members. And not only is half of the negotiating committee made up of TDU members, but it is also headed up by TDUer Herman Sharp.

Both A&P-Rentar and Local 89 have seen that TDU is pulling the members together and protecting their rights. Members there have successfully defended their right to access to union bulletin boards,

Herman Sharp Local 89

and were instrumental in winning an important arbitration decision on seniority rights.

But problems still remain. The company has refused to abide by the arbitrator's decision in the seniority case. It is now in Federal Court and should be resolved soon.

Contract negotiations will allow many unresolved problems from the past to be cleared up once and for all. Grievances have piled up for up to 2 years on issues like mileage pay and the company's refusal to pay COL on mileage runs.

But as TDU activity has increased, the members are finding they're getting more of a voice. Not only have they learned their rights, they're making sure they're enforced. And when the company reneges on an arbitrator's decision (they only do that when they **lose**), they've shown they're ready to take the company to court to get what's coming to them.

With this contract, they're aiming to get what they deserve in black and white.

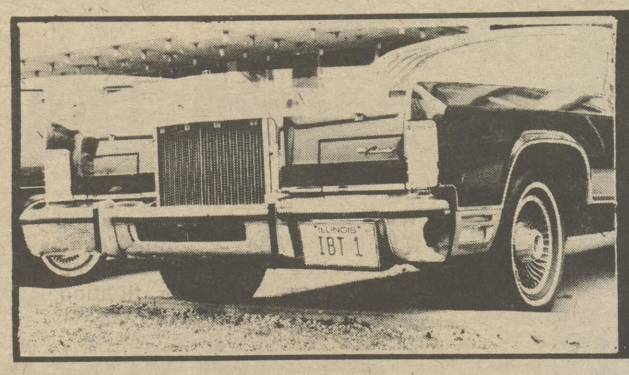
UPS Weight Limit Raised

On March 20, the ICC upheld an administrative law judge's decision to lift weight restrictions on UPS's aggregate weight per shipment. It also lifted some restrictions on UPS's service to retail businesses and their warehouses. The results on general freight could be devastating.

In the past UPS had been limited to shipping 100 lbs. from one shipper to one receiver on any given day. They had also been prohibited from serving between retailers and the branches or warehouses and between retailers and their customers. Now those restrictions are out the window.

The result: the ICC predicts that UPS could grab 25% of existing carriers freight. UPS will still have to limit its packages to 108 inches and 50 lbs. each, making it still a "parcel" carrier. But by its own admission, the ICC knew full well that this has now been reduced to a technicality.

UPS Teamsters predict that in the long run this will mean a decline of jobs in freight overall. UPS prides itself in being able to get more done with fewer people. So a UPS expansion into a bigger piece of the market will mean fewer jobs in freight when jobs are already tight. It's just one more example of how deregulation policies are pushing all Teamsters in freight into hard times, day by day.



YOUR DUE$ PAY FOR THI$?

New Pension Fund Probe

The Justice Dept. is staging a grand jury probe into a loan from the **Central States Pension Fund** to C&S Golf and Country Club,Inc. on Long Island,N.Y.The Fund had to foreclose on the loan to the Club after it failed to make its payments.

The Federal probe centers on whether the loan was laundered through a Cayman Island bank to make it impossible to determine if kickbacks were arranged in exchange for the loan.

Meanwhile the Labor Dept. is setting up a new unit in Chicago to check up on the Central States Pension Fund. It is especially interested in gathering data on ERISA violations. If you have information, contact TDU and we will help you get in touch with the new unit.

Gordon Grubb, Secretary-Treasurer of Local 830, Philly,Pa., and **President of Joint Council 53 [Eastern Pa.]** was sentenced to three months in jail for using his union position to obtain a $70,000 loan from the Local 830 credit union. The loan was used in part to pay off Grubb's gambling debt. Grubb was stripped of his union positions excluding BA and barred from holding elected union office for 5 years.

David and Jacob Friedland, former attorneys for Local 701 were convicted on a series of federal kickback, conspiracy, and income tax charges in connection wtih a $4 million Teamster Loan and a secret million dollar swiss bank account.

TDUers in Northern Jersey have followed the case closely. One told **Convoy Dispatch** "I want to express my congratulations to Mr. Himmel and the other members of the organized crime strike force for the fine job they have done."

Local 865 California

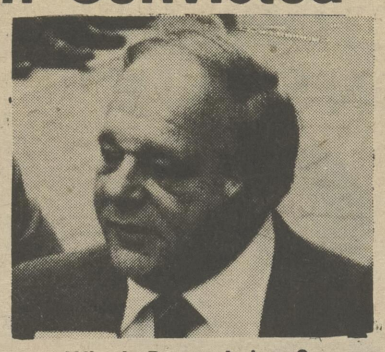
Rudy Tham Convicted

Rudy Tham, Secretary Treasurer of Local 856, VP of Joint Council 7, and International Organizer, was convicted in early April of embezzling union funds.

Tham had been accused of embezzling $2,791 from Local 865 for entertaining James "Jimmy the Weasel" Frattiano and his friends. Tham already receives a $100,000 salary from his union posts—and his wife brings in another $22,000 from her job as Local officer manager.

According to court records, Tham needed Frattiano's help because he felt himself to be on the outs with the International union. Frattiano claims that he was to use his influence with the mob to regain influence in the union for Tham.

When asked why he went to the mob, and not union officers, to gain influence for Tham, Frattiano stated it was because "organized crime runs the Teamsters." He further remarked that **Jackie Presser** of Cleveland Local 507, had told him: "I don't do nothing unless Blackie tells me" (refering to James Licavoli, reputed king of organized crime in Cleveland). Presser has denied this allegation. But the jury apparently found Frattiano to be a credible witness and convicted Tham.



Who is Presser's boss?

St. Louis TDU-PRODers picket to put pressure on for Walla's arrest

"...persistence pays off"

Walla Arrested

E.E. Walla, was arrested on March 30 for embezzling about $85,000 from Local 682 in the years 1974-1976. Walla had headed the St. Louis Construction local for 22 years until his retirement in 1975.

PROD-TDU members in St. Louis had repeatedly demanded that the Local's finances be investigated. They even picketed the court house.

In the detailed indictment, Walla is accused of embezzling union money by making outrageous purchases and putting them on the union's tab. A new Mercedes, a Cadillac, stereo equipment, jewelry, trucks, valuable sculpture, a trailer, a boat, a camper, and $5,000 'advance' travel expenses were among the items paid for by the members of Local 682.

TDU-PROD members were jubilant. One commented: "This shows that persistence pays off. It took three and a half years with people who didn't get discouraged, people who want to clean up their union. This case should help, and it should help with other cases around the country."

Bias Suit Wins

Certainteed-Saint Gobain, a giant fiberglass insulation company, has been forced to provide $72,000 in back pay to 30 women who were denied employment in 1978 at plant #7 in Kansas City, Kansas. The company has agreed to locate the unfairly rejected applicants and divide the back pay among any who complete the probationary period.

- This settlement between CSG and the Office of Federal Contract Compliance is described in a "compliance agreement" obtained by TDUers through a Freedom of Information Act request. The document also lists numerous deficiencies in the company's voluntary affirmative action plan. These include the failure to set up goals and timetables designed to correct past deficiencies and failure to assign responsibility for implementation of the plan.

The Teamsters union has adopted a do-nothing attitude which has encouraged the company in its divide-and-rule tactics. Our BA has flatly opposed the government's suggestion that the women who were unfairly denied jobs in 1978 be given full seniority from the date their applications were rejected. He has also said that affirmative action is not a union concern but a matter to be settled by the government and the company. The result: the company led a successful drive to weaken the Anti-Discrimination Clause in our contract. The clause now only forbids unlawful discrimination instead of any discrimination whatsoever. This is the same do-nothing attitude that led to us getting an inferior COLA clause during the last negotiations.

TDU believes that anti-discrimination clauses in the contract **are** union business. They should be enforced and defended like any other contract protection.

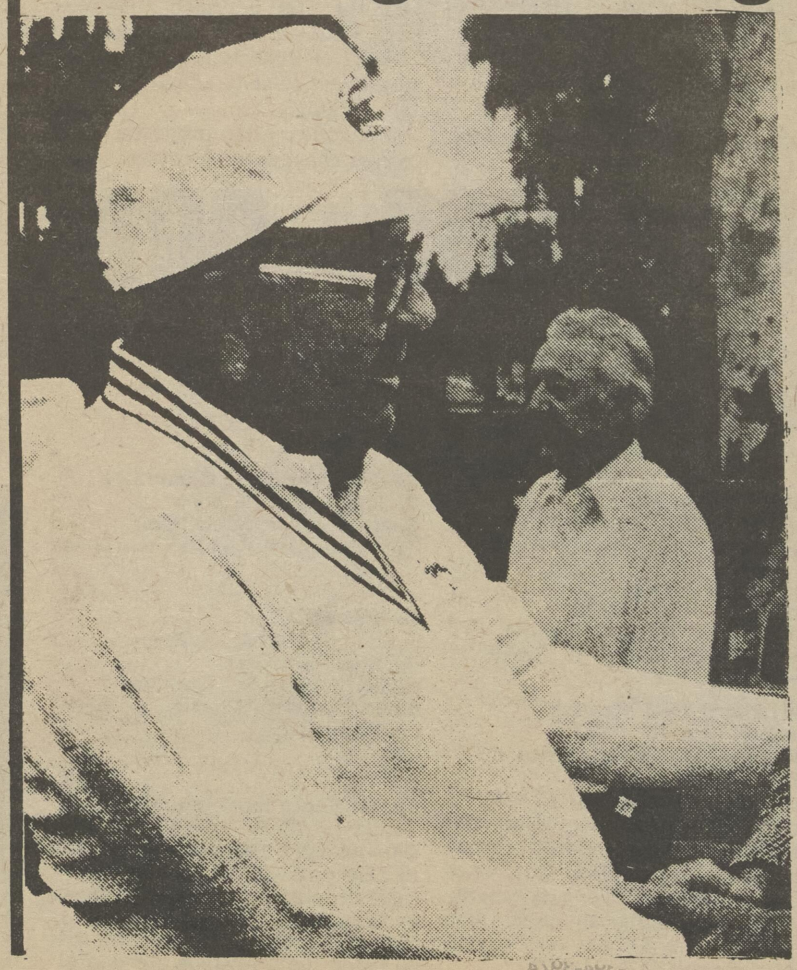
☆☆☆☆☆☆☆☆☆☆

TDUers File Charges On Dickie Fitz

In an attempt to bring officers who sell out the members to justice, TDUers in Local 299 have filed charges against Dickie Fitz. Dickie has confessed to taking payoffs from employers in exchange for throwing grievances against the members.

This action will now force Local 299 officers to take a stand. Are they willing to crack down on payoffs? If not, the individuals who filed the charges, Pete Camarata (elected steward at E.C. Smith) and Jim Carothers (elected steward at Commercial Carriers) stand ready to do so. They are running against Lins & Co. in the upcoming 299 elections in May.

Time for a little belt-tightening Fitz?



While the rest of us are struggling with inflation, Fitz is sitting pretty on his fat salary and lush expense account.

But, to add insult to injury, he also sits on the President's Pay Advisory Committee. Last January, this Committee endorsed the wage ceilings for all American workers of 7.5% to 9.5%. Last month, President Carter gave it the seal of approval as the government's new wage policy.

Teamsters in freight remember how the employers tried to use the 7% wage "guideline" against us last year. We can be sure that the 'new' wage ceiling will be used against Teamsters and other working people in the future.

While we may have gotten used to the fact that our officials don't represent us, when they collect their stratospheric salaries and they turn around and **cut** our pay—that's just too much. And a 9.5% ceiling in an 18% inflation is just that: a 8.5% wage **cut**.

In any event, you can bet that Fitz won't suffer because of this new 'guideline'. Tune in at the 1981 IBT Convention and watch how Fitz and the other International officers vote themselves a fat raise that will leave inflation trailing in the dust.

Constitution
Adopted by the Las Vegas, Nevada Convention June 14-15, 1976

CHANGE IT!

by Doug Allan

Internal Union Charges

Internal union charges are nothing more than the formal claim of a union member that an officer or another member has acted against the interest of the union or any of its members.

For the rank and file, most charges concern either undemocratic action or bad representation. Most union charges state that a specific clause of the IBT Constitution or Local Bylaws have been violated. **But** under the IBT Constitution (Article 19, section 6) you are **not** limited to filing charges only in cases where a specific violation of the Constitution has occured. Anti-union or anti-rank and file activity is enough.

How To File

If you think you have a charge you should:

1) Check your Local Bylaws and the IBT Constitution for time limits and other technical requirements. The IBT Constitution requires that you file your charges within a year of the offense. Some bylaws require that they be filed within 6 months.

2)Carefully specify the action that is being charged

3)Specify the provision(s) of the Constitution and/or bylaws (if any) that haye been violated.

Once you have written your charges, send two copies by registered mail to the Sec.-Treas. of your local. (If you are charging a member of another local, the majority of your local executive board, or International officers matters are more complicated. Contact TDU for advice.).

At the hearing where the charges are heard, you will be entitled to have an 'advocate' to present them as long as he/she is a union member. Pick someone who is aggressive, knows the Constitution and Bylaws, can object to irrelevant questions, and insist on direct answers. Make sure a formal record of the proceedings is kept.

Why file

Since most hearings are judged by people who are in sympathy with the officers (usually fellow officers) is hard for the rank and file to win a case. But charges can help in two ways.

They are often required before taking legal action. This is especially true when it comes to protecting your democratic rights in the union, rights protected by the Landrum-Griffin Act. You are usually required to "exhaust your internal union remedies" for at least 4 months before taking legal action.

In cases of bad representation, the courts disagree on the need for exhausting internal union appeals. But you should be prepared to file charges just to be on the safe side.

They are an organizing tool. If you can get many of your fellow Teamsters involved—as witnesses, collecting evidence, circulating petitions in support of the charge—you are doing more than just filing a charge. You are organizing a network. The BA will think twice about your next grievance. He'll know you aren't alone—and you don't take things lying down.

The Central Pa. Sweetheart Supplement is a good example of this. TDUers are filing charges against the offices who signed this contract (see p.1). The charges may not win in the hearings—but the meetings, publicity, pinning down the officials on where they stand—all this puts pressure on the union.

Many people figure that since "it's all rigged" why bother to file charges? But if you use them as a rallying point, as a way to organize, it can be well worth it. For once, you can put **them** on trial.

This month's Change It is a guest column by Rob Fram, Convoy Dispatch Coordinator

WEST COAST TOUR SET

NEW TDU CHAPTERS FORM

Brewers Organize

TDU's newest chapter is made up of members of Local 391 in North Carolina. In the lead are brewery workers who work at the huge Miller Brewery in Eden, N.C.

The new Chapter plans to work for better representation within the local. A newsletter and other chapter activities are planned.(See p.1 story).

Phoenix Meeting

Twenty-Five Teamsters met in Phoenix on April 5 to hear about TDU from TDU activists from Los Angeles who helped to organize the meeting.

Freight drivers and grocery warehouse Teamsters attended, and all the area TV stations interviewed Bilal Chaka and Doug Allan, the TDU leaders who came from LA.

A recent TDU organizing meeting was held in Kingman, Az. which is also within the jurisdiction of Phoenix-based Local 104.

TDU—"252"

As we go to press, TDU Organizer Ken Paff is heading West for meetings with six TDU Chapters, starting with Spokane Washington, then on to Seattle, then TDU Chapter 252 in Elma Washington. From there, Paff will meet with TDU members and other Teamsters in British Columbia,Canada, and then head South for meetings in Los Angeles and the Bay Area.

Interested West Coast Teamsters should check the meetings listed on this page.

New Chapter in W.Va.

On March 29 a TDU meeting in Parkersburg, W.Va. kicked off the new W.Va. Chapter of TDU. The meeting was attended by Teamsters from Private and Common Carriers as well as **Convoy Dispatch** Coordinator Rob Fram and Rita Drapkin (Local 249) from Western Pa. TDU. Further meetings are planned in Wheeling, W.Va. and Charleston, and a steering committee was formed to follow through. For more information on how you can get involved, contact the TDU office and we will put you in touch.

Allentown TDU Off & Running

On March 23, some 60 Teamsters, mostly members of Local 773, met to form the Leigh Valley TDU Chapter. TDU Organizer Ken Paff and TDU attorney Michael Goldberg addressed the group, along with representatives from nearby TDU Chapters in Harrisburg and Stroudsburg.

After the meeting the film "Harlan County USA" was shown, and a volunteer steering committee was formed with representatives from several trucking carriers as well as other Teamster shops including Allen Products (Alpo Dog Food). A newsletter is planned.

St. Louis TDU

75 TDUers in St. Louis met on March 30. And they had reason to celebrate. E.E. Walla, long a target of reformers in Local 682, had just been arrested for embezzlement. (see story p.9).

The reformers were addressed by TDU leader Pete Camarata who urged them to keep "chipping away. Start with the Locals and elect good officers. Change Local bylaws, use lawyers and the courts if we have to. You have to push back. That's our only alternative."

Teamsters interested in spreading the reform movement in the St. Louis area should contact Hugh Thompson, 314-832-8782.

BYLAWS VICTORY IN WASHINGTON STATE

"TDU Chapter 252" composed of Teamsters from Local 252 sprang to life in Elma, Washington on February 3, 1980. Born in opposition to the way Local 252 officers have been performing their jobs, and weighing in at more than 40 active Teamsters, the new chapter scored its first victory at the age of less than two months.

On March 24, TDU members succeeded in passing several bylaw reform measures by the necessary two-thirds margin. The bylaws changes include the election of shop stewards, changing the powers of the President, changes to insure fair elections, and elimination of the rule that bylaws changes can only be proposed in January. **All passed.**

The Local officers sought to illegally block the voting on the bylaws, saying that this was only the "second reading" of the three required. In fact, the first reading had been in January, the second in February. Some people seem to have trouble counting very high. But the well-informed members who were present reminded the officers of Roberts Rules of Order to prevent a hasty adjournment of the meeting.

The officers had proposed some bylaws changes of their own, along the lines of the so called "model bylaws" from the International. These were all defeated.

Local 252 TDUer Dwight Roberts

Local 252 officials have now taken the position that the bylaws must be read three times at **two different parts of the state.** Legal action is being investigated to stop this move against the will of the members.

The victory shows the wisdom of the unanimous decision by all members present at the founding meeting of TDU Chapter 252 back in February to form the chapter and join TDU. TDU Chapter 252 can be reached at Box 211, Rochester,Wa. 98579. A first newsletter has already been published.

*** MEETINGS AND EVENTS ***

Allentown Pa. TDU Chapter
Sunday, May 25, 1 PM
Trexlertown Volunteer Fire Co.
On Rt. 222, 1 block south of t. 100

B.C. Yukon TDU
Wed. April 23, 7:30 PM
Villa Hotel, Burnaby, BC
4330 Dominion St., just off Willington and Canada Way.
TDU Organizer Ken Paff will be a guest speaker on the struggle for democracy in the IBT. He will also speak on the growth of TDU in the 1980's, the 1981 Convention, and how all members can help in the struggle.

Chicago Area Prod
Sunday, April 27, 1 PM
Quality Inn Motel, I-55 (Stevenson Expressway) at Country Line Rd., Burr Ridge III.

Davenport Iowa
Quad Cities Area
Sunday, April 27, 2 PM
Cedar Hall, 4th & Cedar
Davenport, Iowa.

Des Moines Area TDU
Sunday, April 20, 2 PM
Eagles Lodge, 6567 Bloomfield Rd.
Des Moines, Iowa

Detroit Metro TDU
Sun, April 20, 2 pm
J&C Hall, 7816 michigan Ave

Eastern Pa., TDU
Sunday, Aril 27, 3 PM
Holiday Inn, Bartonsville, Pa.
Fight Back Against 8 Cities Sweetheart

Harrisburg TDU Meeting
Sunday, May 18, 1 PM
American Legion Hall, Enola

The **Lansing Chapter** of TDU is having their first annual dinner dance on June 22nd at 4:00 p.m. at the Eagles Hall. Find out what TDU is about. Enjoy speakers, dinner, live entertainment, and free beer. Only $10 per person. For more info call 517-394-3974.

Lansing TDU
Sunday, May 4, 2 PM
Eagles Lodge

Seattle Organizing Committee
Sunday, April 20, noon
Seattle Center, Shaw Room
TDU Organizer Ken Paff will speak

So. Cal TDU
Sunday, April 13, 12 Noon
Cerritos Park East
13234 E. 166th St., Cerritos
Stewards Swap, Election of Steering Committee

So.Cal Educational Conference
Sunday, April 27, 12 Noon to 5 PM
Cerritos Park East, 13234 E. 166th St., Cerritos
TDU Organizer Ken Paff will speak on organizing in So.Cal.
Stan Weir, labor educator, will talk on using the grievance procedure.

Spokane TDU
Saturday, April 19, 9:30 AM
Fire Fighters Credit Union
2004 North Hamilton
TDU Organizer Ken Paff to speak

Centralia Wa. TDU—Local 252
Sunday, April 20, 4PM
Elma Washington, VFW Hall
Downtown Elma
TDU Organizer Ken Paff will speak

Save the date

TDU Rank & File CONVENTION

Oct. 11 & 12 Cleveland, OH

UT Cuts 18% for Chrysler

United Transports is set to impose a drastic wage cut on drivers at its Chysler railhead in N. Kansas City.

The Chrysler carriers asked for a general wage cut at the January competitive review board. The case was 'postponed' allowing the carriers free rein to try to introduce this 'relief' terminal by terminal.

March 19 UT terminal manager E.J. Milligan sent a letter to drivers in a position to bid the KC railhead. He announced United wouldn't pay mileage, skid drops, loading, splits, etc. at the railhead. Instead, wages will be a flat 18½% of revenue.

Drivers estimate this amounts to a big cut, depending on how bad the splits are. (You could carry that last car 100 miles for pocket change.) This cut rate hasn't been approved yet by a review committee. The company apparently forgot Art. 22 only allows cuts on diverted rail traffic. Charlie Lewczyk, a notorious union member of the committee, reportedly told management, "I'm not going to be a whore for you guys anymore." Every cloud...!

But the company is resubmitting the deal as a local rider under Art. 2 Sec. 6. Such riders need only be approved by the Union. There's no requirement for members approval.

Carhaulers across the country — especially Chrysler haulers — had better hope this deal is somehow stopped. United shares the North KC yard with Cassens. You can bet Cassens will want to impose this deal on their drivers. This kind of epidemic can spread fast -- beyond just Chrysler haulers.

Dishonesty Discharges On the Rise

Commercial Carriers in Detroit has recently added a new twist to the abuse of the clause allowing immediate discharge for dishonesty. During a hassle with GM over improper loading, they needed a scapegoat. So they offered up driver, Nate Hinton, who was discharged on the spot for dishonesty, although he hadn't done a single dishonest act and had witnesses to prove it. After maligning Brother Hinton's character, management regained their senses and returned him to work -- but did not offer to pay the 10 days he was off. CCI steward Jim Carothers reports a grievance has been filed for the time and an apology.

Last summer Richard Beatty of **Detroit E&L** was fired when the company paid a ¾ hr. error (which was the company's fault) in a delay at the shop. The discharge was upheld when at least on Union Official voted with management on the grievance panel. Most shocking, Local 299 BA Tom Deady publically blamed the driver. While Local 299 President Bob Lins and Carhaul BA Wilson Holsinger were not as frank as Deady, they seem unable to stop this abuse, despite Holsinger's 'fame' as a honcho of the carhaul craft nationwide.

Since that time E&L has tried disciplining drivers for double payment of pay claims, even though E&L's paperwork chaos is notorious. On April 4, E&L settled Beattys NLRB charge with a full back pay and benefits settlement over $25,000.

"Super Cuts"

Union Giveaways on Rate Cuts

On March 12, Central States Iron and Steel Competitive Review Board gave in to employer demands for cutrates which had originally been rejected in December. Article 51 of the Steel Rider gives the Board the right to allow rate relief to meet non-union or railroad rates. But this power is supposed to be exercised only "with the consent of the union members directly affected."

In December the board turned down the companies because almost all of the requests were based on competition between union carriers and the drivers had not consented. So the companies developed a campaign to hold meetings and sell a cut, apparently with the aid of some Michigan locals. Indiana and Ohio locals did not actively go along. But no Union officials stood up against this rip off. So the companies came back to the table in March and grabbed a big feast.

This decision allows all companies to pay drivers' wages and equipment rentals based on rates set by the substandard "304 section" of the Steel Carriers Tariff This section lists hauls that were rated by some Steel Carrier Tariff companies at about 4% below the general rate level which was established by the last round of increases in April 1979. This cut rate level will apply to all loads that were under that section as of March 1, 1980. It will probably be interpreted to apply to all companies in the Central States area. But the Board was explicit in stating that this level is to be a floor. Many carriers whose rates were increased by 8% on April 1, 1980, dropped rates to the 304 floor on March 31 leaving a net rate increase of only 4%.

If this rate relief weren't bad enough TDU is informed that several carriers have already filed with the ICC for deeper cuts in violation of the decision establishing the rate floor. Our sources say that 5 carriers including Artim Transportation, have filed independent actions to cut the Chicago to Detroit rates approximately 10% less than the minimum allowed by the Competitive Review Board. We welcome any further information on this issue.

When will our officials learn: if you give them an inch, they'll take a mile.

"Operation Survival"

On March 28, thirty steelhaulers and some spouses from 9 locals and 14 companies gathered in Elizabeth,Pa. to devise an organizing program dubbed "Operation Survival."

The meeting was pulled together by SHOC (the Steel Haulers Organizing Committee of TDU).

Though the meeting was not as well attended as hoped it was still far more successful than other attempts since the strike last April and is an indication of the frustration starting to build among both company drivers and owner-operators.

About one-third of those attending were owner-operators and a great deal of the 4 hours were spent discussing the new and illegal 72% leases that owner-operators are being forced to sign in violation of the contract and the Union's lack of response to this attack.

There was unanimous agreement that the present rate wars,72% leases, deregulation, and the growth of non-union carriers are the problems that we must force the Union to confront head-on as they are the most threatening to job security and the livelihood of our families.

Before the meeting was over, the Teamsters present decided to launch "Operation Survival." In the next few weeks, SHOC will begin circulating brochures throughout the country reviewing the present problems of Teamster Steelhaulers and suggesting a course of action so that we can begin once again to use our muscle and collective power to fight back against the company attacks.

If you are a Teamster Steelhauler and fed up like the rest of us, write TDU, Box 10128, Detroit, Mi., 48210 or call 313-842-2600 today. We need to fight back...NOW!

Trailer Lease Grievance Loses

72% Sellout

The union has apparently given way on trailer lease cancellations for owner operators. Considerable rank and file pressure, together with the concern of officials who were on the hot seat, led to the Trailer lease cancellation grievance growing quickly to the national level. But Fitzsimmons and friends sent it back to Chicago where it was discussed again in March by a Joint Area Committee subcommittee. TDU's sources report the companies have won the unlimited right to cancel trailer leases without reference to seniority. The only compromise is that trailers provided to the owner operators must be properly equipped with chains, tarps, etc. by the company.

This means the cut rate 72% lease will become standard in the industry, since cancellations are the main tool used by the companies to force the 72% contract.

If confirmed by the national grievance committee, this decision will be straightforward sweetheart deal. Fitzsimmons, Williams, Presser, and the other International officers could have insisted on deadlocking this one at the national, leaving the way open for organizing a legal strike under Article 8 of the NMFA. That's the only language the companies understand. But it seems our officials have forgotten how to speak it.

North Carolina

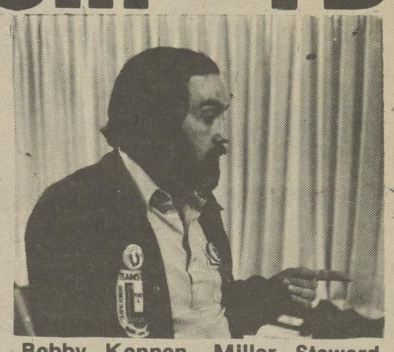
Brewery Teamsters Join TDU

The lack of democracy is costing conditions at the Miller Brewery in Eden, NC. But at the April 9-10 TDU meetings, these problems were brought out into the open, discussed and a positive program for change was constructed.

The big problem is representation—a lack of it. One BA, Dewey Sherril, is supposed to represent 1800 members at both Miller and the nearby Schlitz brewery. Grievances as old as a year remain unsettled—always they are going to be handled "next week". Only three grievances have ever been taken to arbitration. Numerous stewards discussed the lack of cooperation from the hall. So few grievances get won, that when one **was** settled, the BA actually wrote the member a letter asking him to give a speech at a meeting praising the BA for it.

In 1979 the members got a chance to vote on which day would be the floating 'holiday'. This year they got the runaround. Deals are made by the BA—with no vote or consent by the members.

Craft meetings for the brewers were held bi-monthly. A motion was properly made at the March meeting that they be held monthly. "Out of order." Instead, Sherril **dictated** that they would now be every three months.



Bobby Kennon, Miller Steward, Local 391

A Program for Change

A positive program for change was discussed. The new TDU chapter will focus on watchdogging grievances and demanding full representation. A newsletter can be produced to explain to the members what their rights are. And legal action will be taken if needed.

The next contract needs to be planned for. The present one is undercut by vague language and poor enforcement. There is no provision for progressive discipline (such as warning letters for the first offense) and arbitrary firings have occured.

The new union spirit and activity of the members should be welcomed by the officers. But instead, this has been met with fear and slanders. BA Dewey Sherril has stated that TDU is funded by **Overdrive** magazine,the Communist Party, and Miller Brewing!

TDU's Organizer, Ken Paff, told the Brewery workers:"We do agree with your BA on one thing—if Miller is supporting a group within the union, you should be suspicious." And the members report that their BA is on good terms with management. It is the stewards in TDU who are among the most vigilant in standing up to the company. One member told the TDU meeting: "When I heard Dewey Sherril denounce TDU, I knew it was something worth joining."

The Teamsters of Local 391 are starting to stand up. Black and white, men and women, united. As Paff told them:"You exemplify the TDU spirit. You voted for the Teamsters. When you found there were problems, you didn't become anti-union. And now you are fighting to improve your union—to make it one that will protect your jobs and conditions for years to come."

A Debate:

How to Win at National Freight

National Freight out of New Jersey continues to run under a substandard contract. Stonewalling by Local 676 president John Greeley has made a fight for Master Freight wages extremely difficult.

Constant organized pressure by National's Lawnside drivers has produced some results. Repeated calls and petitions finally brought visits to the Local by Fleming Campbell from the International Union. But he has not suggested that the International's stated policy against substandard agreements in freight should be upheld. And he has also not been able to persuade Greeley to come out and meet National's drivers face to face.

After one meeting with National's owner Bernie Brown, Campbell described Brown as extremely pigheaded. Despite an agreement at that meeting that Brown would divert no more freight away from the Lawnside drivers, 22 hours later loads were pulled out by drivers from other terminals. One of the loads was pulled by Scooter Morris, son of 676 VP Charlie Morris.

In a meeting with the National drivers, Campbell agreed that the men had serious complaints. The Local 676 BA said the Local would file Labor Board charges against Brown. The National drivers had already planned to file such charges. It's a good thing, because nothing has since been heard of the Local's actions.

Why a Debate?

Meanwhile, TDU has received a letter from Greeley, claiming that we have misstated the facts in the last issue of **Convoy Dispatch**. We felt that the letter was such a good example of how our officials think, of how they fail to provide the leadership we need, of the kinds of tricks they use, that it should be reprinted.

(Below are reprinted extensive extracts from a long and repetitive letter by John Greeley, president of Camden, N.J. Local 676. This is an accurate condensation of his letter. To obtain a full copy, send 25c to **Convoy Dispatch**.)

John Greeley

Dear Sir:

"We are writing to you relative to numerous misstatements and untruths contained in an article in your March, 1980 issue relative to 676's continued contractural relationship with Chain Management... The Local Union, after receiving a final offer from Chain Management in a democratic fashion (which you allegedly espouse) took the offer back to the membership and had the members vote on the last contractural offer. In order to insure that all members voted, the polls were kept open three days...

If you allegedly stand for democracy, which we seriously doubt, we question why you are strongly in favor of overturning the vote which favored acceptance of the employer's last proposal.

Additionally, your irresponsibility in advocating that picket lines be extended by Chain Management employees to National Freight is appalling...

Although we might personally like to enmesh National Freight into the dispute and picket them, strong legal precedent of the National Labor Relations Board has made it very clear that not only would such a strike be enjoined, but that this Local Union could be subject to financial ruin in a damage suit for having wrongly extended picket lines to National Freight. A reading of the Hearst and Vulcan cases of the NLRB might undo the ignorance shown by the writer of the article...

We are attempting to resolve all of the problems with Chain Management by civilized collective bargaining as mandated under Federal Law. We are being advised every step of the way by the members employed by Chain Management. Although you may not care, this Local Union does care very much about a loss of numerous jobs in the area by the simple shutting down of these terminals and the servicing of various customers of Chain Management by other terminals outside the Local's jurisdiction, or worse, by owner operators which have continued to undermine Master Freight wages. I am not willing under the circumstances to cavalierly allow these terminals to be shut down without attempting to negotiate for the jobs of the employees involved. There is a fight which you allude to, but the fight is not against the members and Local 676 but rather a fight of the members of this Local Union alongside of the Local Union against an employer who has threatened to close terminals and put members out of work.

We will continue to fight against this employer to obtain the best possible contract and to see to it that all terms and conditions in that collective bargaining agreement are enforced for employees' benefit...

We of course do not believe you have the courage to reprint this letter in its entirety so that all of the facts may be made known to your readers.

Signed John Greeley

TDU Replies

Mr. Greeley,

You make three main points in your letter.

The Law—Problem or Excuse? Sometimes the question of picketing "allied" employers can be complicated. But National Freight is not complicated at all. If you will look in Trincs Blue Book of the trucking industry you will find Chain Management and all of Bernie Brown's little subterfuges are listed in one little spot as part of the same operation. If you will have your lawyer check the NLRB case of IBT #728 vs Empire State Express, he'll find you can picket all of National's operation.

If your lawyer can't handle this, we'll be glad to recommend an attorney affiliated with TDU who will have no difficulty.

You either have a bad lawyer, or you are using the authority of an attorney to make your members feel powerless and compelled to accept a bad contract.

Democracy- Does it work with blindfolds? Just before you took the 3-day vote, you personally appeared before your members, told them the law required another vote, told them to vote yes, and the members voted No 68-5. After meeting alone with Brown, you then told your members they could not picket National if they struck and ordered the 3-day vote. Even if the votes were counted right, this vote is meaningless, since you gave your members false information, which made them feel they had no alternative. We do not advocate overturning that vote. That is for the members to decide - with all the facts, full discussion and a secure ballot box.

You have steadfastly refused to meet with these members since December. You are so out of touch with them that, not only have many joined TDU, but they have made numerous protests to both the International and the Eastern Conference.

Who cuts wages? Greeley, owner operators, or both? You accuse owner operators of undercutting Master Freight wages. Your answer is not to fight for a uniform, national contract and for a democratic union which we can sign up all truckers into. Your answer is to beat them to the punch and cut wages yourself. All an employer needs to do to get a cheap contract with your thinking is to threaten to move out of town, which by the way is illegal. (Tell your lawyer.)

We will gladly discuss these questions with you, in public, before the members at Lawnside National Freight and the press. There can then be a vote of the members as to whether you have done your best to represent them. If you would like to arrange the details of such a meeting, feel free to contact our National Office in Detroit.

And in the meantime, we will go on providing information and assistance to all Teamsters who are fighting to maintain and improve conditions and to resist sweetheart deals arranged by officials unresponsive to their members.

Nothing Personal? Holiday Sellout!

Last April, Teamsters in the Central Conference voted on what they thought was a new benefit: a ninth holiday, effective April 1, 1980.

They believed that it would be a **personal** holiday. That is a day which they would be able to take off whenever they wished.

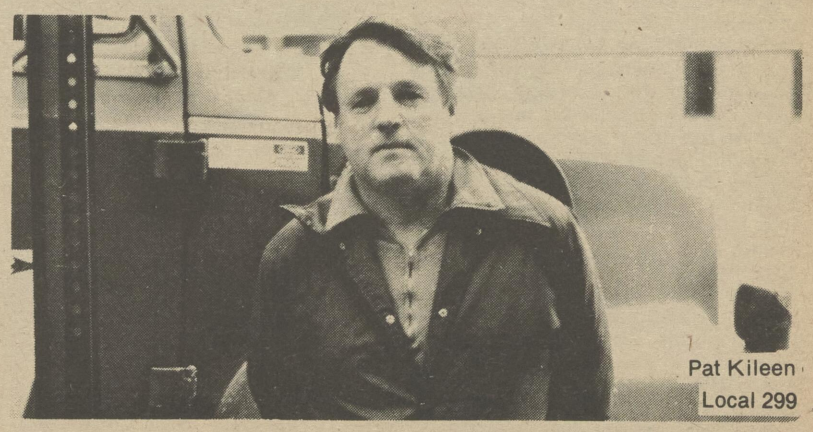
That's what the contract proposals said. That's what the rank and file believed. And that's what it was, **until the Central States Negotiating Committee gave it away.**

On March 10-12, at its meeting in Chicago, this Committee decided that instead of a true personal day, Teamsters in the Central Conference would have to take off the anniversary date that they hired in.

This loss of personal flexibility was an out and out giveaway. Western Conference Teamsters, for example, **will** enjoy a true 'personal' holiday.

"This is really a cheap shot" said Pat Kileen, Local 299, Detroit, and steward at Maiers. "We have so little control over time off as it is right now. To deny us **one** personal day is really petty as far as I'm concerned. And what get's me is why our Local 299 officers, Lins & Co., didn't do a thing to stop it, even though they were on the negotiating committee."

Pressure should be put on your company's management to try to adjust this ruling. Some companies have been successful in having this holiday changed to another day. If you are successful, contact TDU and we'll spread the word and show others how it can be done.



Pat Kileen
Local 299